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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/817,482	04/02/2004	Hiroshi Kobayashi	B-5409 621803-3	6130
7590 LADAS & PARRY Suite #2100 5670 Wilshire Boulevard Los Angeles, CA 90036-5679			EXAMINER CHOWDHURY, AFROZA Y	
			ART UNIT 2629	PAPER NUMBER
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**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

# Office Action Summary

**Application No.**

10/817,482

**Applicant(s)**

KOBAYASHI, HIROSHI

**Examiner**

AFROZA Y. CHOWDHURY

**Art Unit**

2629

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 03 June 2008.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-10 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-10 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SF/ICE)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

## DETAILED ACTION

### *Response to Amendment*

1. Applicant's request for continued examination (RCE) filed on **June 3, 2008** has been entered. Claims 1-10 are currently pending. Applicant's amended claims and arguments are addressed herein below.

### *Specification*

2. The specification is objected to as failing to provide proper antecedent basis for the claimed subject matter. See 37 CFR 1.75(d)(1) and MPEP § 608.01(o). Correction of the following is required:

Regarding claims 1-10, "**first display screen**", "**first position**", "**second display screen**", and "**second position**" are described in the specification as submitted originally.

### *Claim Rejections - 35 USC § 103*

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1 and 6-10 are rejected under 35 U.S.C. 103(a) as being unpatentable over **Hirano** (US Patent 6,570,628).

As to claims 1 and 9-10, Hirano discloses an apparatus comprising:

a first display screen (fig. 1(6a)), configured for movement between a first position and a second position wherein the first display screen at least partially covers a control switch (fig. 2(10), col. 3, lines 59-67) and/or a second display screen (fig. 3(3a)) when the first display is in the second position (col. 4, lines 5-15) (as best understood); and

functionality of the control switch and/or display information are offered from the second display screen on the first display screen when the first display screen is in the second position (col. 1, lines 17-22, col. 3, lines 59-67) (as best understood).

Hirano does not specifically teach a control device configured to offer functionality of the control switch and/or display information from the second display screen on the first display screen when the first display screen is in the second position.

However, it would have been obvious to one skill in the art to recognize that the display apparatus of Hirano has to have a control device that is configured to offer functionality of the control switch and/or display information from the second display screen on the first display screen when the first display screen is in the second position.

As to claim 6, Hirano teaches an apparatus comprising: a movement-control device that controls the movement of said first display screen (col. 3, lines 52-58).

As to claim 7, Hirano teaches an apparatus where the said first display screen is associated with a panel member that is a storage-type panel member (fig. 3(3)).

As to claim 8, Hirano teaches an apparatus wherein said display screen is associated with a panel member is a rotation-type panel member (figs. 2-4).

5. Claim 2 is rejected under 35 U.S.C. 103(a) as being unpatentable over **Hirano** (US Patent 6,570,628) in view of **Morimoto et al.** (US Pat. 5,757,359).

As to claim 2, Hirano discloses a display device that has a display screen for accommodating a display panel to serve information for navigation process and various items of information in a vehicle (col. 4, lines 1-15).

Hirano does not teach a display screen that gives image with an appearance identical to or that resembles the appearance of the control switch or information from second display screen.

Morimoto et al. teaches an information display system where input keys appear on the screen and the user can control various functions by touching the key switches (fig. 2(a)-(d), fig. 33, col. 5, lines 32-38).

Therefore, it would have been obvious to one skill in the art at the time of the invention was made to combine the touch panel of the information display system of Morimoto et al. with Hirano's display device to make an apparatus for displaying an

audio-visual apparatus for a vehicle in order to allow a user to operate entertainment or navigation system by touch control panel.

6. Claim 3 is rejected under 35 U.S.C. 103(a) as being unpatentable over **Hirano** (US Patent 6,570,628) in view of **Son et al.** (US Pub. 2004/0164974).

As to claim 3, Hirano discloses a display device that has a first display screen (fig. 1(6a), col. 3, lines 59-67) and a second display screen (fig. 3(3a)) displays an operation of the information display apparatus (col. 4, lines 5-15).

Hirano does not specifically teach a control device that is used to drive the display screen.

However, it would have been obvious to one skill in the art to recognize that the display apparatus of Hirano has to have a control device that controls the display screen.

Hirano also does not explicitly teach an apparatus where a control device displays an image on a display screen that changes the surface dimensions of the control switch and information from second display screen.

Son et al. teaches a display device where the dimension of the displayed image can be controlled (pages 4-5, [0076]).

Therefore, it would have been obvious to one skill in the art at the time of the invention was made to combine the display device of Son et al. with Hirano's display device to make an apparatus in order to attain different surface dimensions of images

on a display screen to be different depending on the function of the device, such as navigation or audio-visual apparatus for a vehicle.

7. Claim 4 is rejected under 35 U.S.C. 103(a) as being unpatentable over **Hirano** (US Patent 6,570,628) in view of **Watanabe et al.** (US Pat. 6,373,213).

As to claim 4, Hirano discloses a display device that has a display screen for accommodating functions of a first display screen (fig. 2-4(8), col. 3, lines 52-58) and a second display screen (fig. 3(3a), (col. 4, lines 1-15).

Hirano does not teach a position-detection device that detects the position of a panel member.

Watanabe et al. teaches a position-detection device (encoder, col. 8, lines 41-47) that detects the position of a panel member (fig. 1A (D)); and wherein

a control device (microcomputer, col. 7, line 66 – col. 8, line 1) controls such that the functions of a display member (fig. 1A(G), col. 8, lines 4-13) wherein is displayed on the display screen (fig. 1A(G), 1B, and 7A) according to a detected position (fig. 1A).

Therefore, it would have been obvious to one skill in the art at the time of the invention was made to combine the display apparatus of Watanabe et al. with Hirano's display device to make an apparatus a control device is configured to offer functionality of the control switch and/or display information from the second display screen on the first display screen based on the position detected by the position-detection device.

8. Claim 5 is rejected under 35 U.S.C. 103(a) as being unpatentable over **Hirano** (US Patent 6,570,628) in view of **Ogawa et al.** (US Patent 6,628,245).

As to claim 5, Hirano discloses a display device that has a display screen for accommodating a display panel to serve information for navigation process and various items of information in a vehicle (col. 4, lines 1-15).

Hirano does not teach a switch-display-instruction-receiving device.

Ogawa et al. discloses a switch device that displays a function of a switch presently selected by a user on a switch operating section (col. 1, lines 46-53, fig. 10, 12-14, 16-19) (as best understood).

Therefore, it would have been obvious to one skill in the art at the time of the invention was made to combine the switch device of Ogawa et al. with Hirano's display device to make an apparatus is configured to offer functionality of the control switch and/or display information from the second display screen on the first display screen based on the instruction received by the switch-display-instruction-receiving device.

### ***Response to Arguments***

9. Applicant's arguments filed June 3, 2008 have been fully considered but they are not persuasive.

On the 2<sup>nd</sup> page of Remarks (1<sup>st</sup> paragraph) and 5<sup>th</sup> page of Remarks (1<sup>st</sup> paragraph), Applicant states, "... the Examiner asserts that the "first display screen" as



recited in claim1 ... the "second display screen" as recited in claim1 is disclosed by Hirano's ...". The Examiner respectfully disagrees to this assertion. The "first display screen" and the "second display screen" were not claimed in the last amendment and the Examiner never made that statement in the last office action.

On the 2<sup>nd</sup> page of Remarks, 2<sup>nd</sup> paragraph, Applicant's asserts that there is no teaching that Hirano's screen 6a at least partially covers the actual display screen 3a. The Examiner respectfully disagrees to this statement Hirano's screen 6a at least partially covers the actual display screen 3a (see fig. 2 and 9).

On the 3<sup>rd</sup> page of Remarks, 3<sup>rd</sup> paragraph, Applicant's states that there is no teaching in Hirano that screen 6a at least partially covers a "control switch". The Examiner again respectfully disagrees to the above statement Hirano's screen 6a at least partially covers a "control switch" (see fig. 2(10)).

### **Conclusion**

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Afroza Y. Chowdhury whose telephone number is 571-270-1543. The examiner can normally be reached on 7:30-5:00 EST, 5/4/9.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Bipin Shalwala can be reached on 571-272-7681. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2629

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

AC

6/20/2008

/Bipin Shalwala/

Supervisory Patent Examiner, Art Unit 2629